

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Brenda Richardson

Docket No. 5:13-CR-20-5H

Petition for Action on Supervised Release

COMES NOW John Seth Coleman, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Brenda Richardson, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With Intent to Distribute 280 Grams or More of Cocaine Base (Crack), in violation of 21 U.S.C. § 846 and 21 U.S.C. § 841(b)(1)(A), was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on September 10, 2014, to the custody of the Bureau of Prisons for a term of 24 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months. Brenda Richardson was released from custody on May 23, 2016, at which time the term of supervised release commenced.

On December 17, 2018, as a result of the defendant's written admission to marijuana and crack-cocaine use on or about December 9, 2018, the court was notified via Violation Report that the defendant was being re-referred for a substance abuse assessment, and re-enrolled in the district's Surprise Urinalysis Program.

On January 7, 2019, as a result of the defendant testing positive for cocaine on December 20, 2018, and additionally admitting to cocaine (crack) use on or about December 30, 2018, the court modified the conditions of supervised release to include Home Detention with Electronic Monitoring, for a period of 60 days.

On January 25, 2019, the court issued a Warrant for Arrest based on a Motion for Revocation.

On March 13, 2019, the defendant appeared before your honor on a Motion for Revocation related to her fourth positive urinalysis within a one-year period. The court denied the motion for revocation, continuing supervision, and ordering the defendant be returned to court immediately, should any additional drug use be detected.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

At the time of her arrest on January 28, 2019, the defendant had served 17 of 60 days of the previously imposed Home Detention with Electronic Monitoring condition. She subsequently served 45 days in custody while awaiting her Revocation Hearing. In view thereof, we would ask the court to remit the balance of 43 days Home Detention with Electronic Monitoring.

PRAYING THAT THE COURT WILL ORDER that the conditions supervised release be modified as follows:

The balance of 43 days Home Detention with Electronic Monitoring is hereby remitted.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Eddie J. Smith
Eddie J. Smith
Supervising U.S. Probation Officer

/s/ John Seth Coleman
John Seth Coleman
U.S. Probation Officer
150 Rowan Street Suite 110
Fayetteville, NC 28301
Phone: 910-354-2545
Executed On: April 12, 2019

ORDER OF THE COURT

Considered and ordered this 15th day of April, 2019, and ordered filed and
made a part of the records in the above case.



Malcolm J. Howard
Senior U.S. District Judge